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**Sent:** Mon 8/8/2016 12:42:48 PM  
**Subject:** POFA/PFOS

## **State fact sheet on PFOA exposure downplays risks, health experts say**

By Scott Waldman

08/08/16 05:49 AM EDT

Politico

ALBANY — The Cuomo administration is distributing health information in Hoosick Falls that downplays the risks of having a toxic chemical in the bloodstream, public health experts say.

A state-provided fact sheet, written as a simple explanation for residents who have elevated levels of PFOA in their bodies and posted online, is misleading and does not adequately convey the severity of the danger, according to four public health experts. The experts, including one formerly employed by the state health department and three others that have extensively studied the cancer-linked chemical found at high levels in the Hoosick Falls water supply, reviewed the question-and-answer document at POLITICO's request. All independently concluded the state health department was minimizing the risks of PFOA in the bloodstream.

Dr. Howard Freed, a former director of the state health department's Center for Environmental Health, aid the state's fact sheet is misleading because it minimizes the risks of PFOA in the blood stream. He said it presented a false equivalency, by giving doubts about the science equal weight to the very real discoveries of health risks.

"In my opinion, that section so underplays the risk it does not reflect the scientific literature," he said. "They present one side of an argument and what they have written is factually correct, there are no lies in it, but it is clearly misleading."

The five-page fact sheet asks and responds to 17 of the most common questions about

health risks and concludes with a section recommending links for additional information, which comes in response to what is now a well-documented issue involving the pollution of local drinking water sources over a period of years by a factory manufacturing non-stick products. It is a significant part of the state's response to the news that hundreds of residents now have high PFOA blood levels, some more than 500 times the national norm.

The public health experts all pointed in particular to one section on cancer risks which states that there is "no conclusive evidence that PFOA causes cancer in humans" while focusing on the inconclusive nature of scientific studies surrounding the cancer-linked chemical.

The state health department has come under intense criticism for its handling of the unfolding Hoosick Falls crisis, including the distribution late last year that also downplayed risks of PFOA exposure after federal regulators pushed for a wider public alarm about the situation. In that earlier fact sheet, the state asserted that the discovery of the cancer-linked chemical in the public village water supply "does not constitute an immediate health hazard."

State authorities have been accused in a recent congressional probe of being "sluggish" in their response to the crisis after residents began sounding the alarm, and indicated that the water was safe to drink, reversing course only after the federal Environmental Protection Agency got involved.

The state's fact sheet mentions the human health risks of having high levels of the chemical in the body. But it does not cite groundbreaking federal research on PFOA health risks published in the last several months, including research published weeks ago indicating that the toxic chemical affects immunity.

Like the other health experts, Freed said it is important for that section that mentions cancer to refer to the 2012 C8 study, a groundbreaking years-long study of PFOA exposure in humans. The study was one of most comprehensive studies of the health risks of any toxic chemical ever conducted and brings far more scientific certainty than it does doubts, he said.

Freed said the state Center for Environmental Health has had a culture of minimizing health risks in documents for decades. He said it was less a reflection on the scientists, whose competency he did not question, but more a workplace culture given to minimizing risks.

“They’re afraid that they would produce a document that sounded the alarm and then get them in trouble,” he said. “They’re afraid of sounding the alarm and then finding out that the alarm was not necessary.”

The public should be warned that they need to monitor health issues, and the state should highlight that there is significant body of scientific research that demonstrates risk, said Courtney Carignan, a research scientist at Harvard University’s School of Public Health who studies the health effects of exposure to toxic chemicals.

She said the state’s fact sheet was “confusing” because it could leave the reader with the impression that PFOA is harmless.

“What fact sheets like this are missing is transparency about health effects that would allow people to have productive conversations with their physicians and make informed decisions to best protect their health,” she said. “The evidence needs to be interpreted under the precautionary principle for the protection of public health. That is, when making decisions that affect people’s health, let’s treat the studies finding potential harm as if they are true rather than the opposite.”

State officials vigorously deny that the fact sheet downplays health risks and note that they have also posted other materials online that deal more directly with the risks. They say the principal purpose of the question and answer document is to help residents interpret their blood results and that multiple links of the state [Hoosick Falls webpage](#) link to other resources.

The state health department is “citing the best available science” and existing studies while consulting with experts, spokesman JP O’Hare said. He said the state is also conducting its own health study that will be independently reviewed.

“The Department of Health has stated very explicitly and repeatedly that studies have found an association between exposure to PFOA and health effects and we will

continue to make that clear,” he said in a statement. “Any suggestion to the contrary is inaccurate, inflammatory, and irresponsible.”

Oftentimes, those citations are followed by statements highlighting the uncertainty around the science. In the controversial December fact sheet, state officials mentioned health risks, then followed those mentions with an assertion that “studies are difficult to interpret because results are not consistent.”

Residents in Hoosick Falls have complained for months that they are struggling to find answers to their questions about what it means to have elevated levels of PFOA in the blood. Hundreds of residents have high levels of PFOA in their blood, state results show. The fact sheet is among the state’s most comprehensive attempts to answer some of the most common questions.

The fact sheet was published as the state revealed this week that those consuming tainted water from Hoosick Falls’ municipal water supply had PFOA blood levels more than 30 times higher than the national average. Two months ago, the health department revealed that 2,000 blood tests from the wider region, which includes residents who moved away years ago and those not drinking from polluted wells, had blood levels 15 times higher than the national average. The new results show that in the population of 1,000 people who had blood tests in the village, there were high levels of the chemical in the bloodstream.

The state’s fact sheet does not cite the most recent U.S. Environmental Protection Agency health advisory on PFOA, which came out in May after five years of research and directly connects a series of health problems to PFOA. (The state website links to EPA’s Hoosick Falls investigation elsewhere.) That advisory showed PFOA “may result in adverse health effects” including developmental effects to fetuses and breastfed infants, cancer, liver effects, immune effects, thyroid effects and other effects such as high cholesterol. Nor does the state’s fact sheet cite a review published in June by the U.S. Department of Health and Human Services that states PFOA is “presumed to be an immune hazard to humans.”

By comparison, the state’s document downplays PFOA risks, according to the public health experts. In one section, it compares health risks associated with high PFOA blood levels to blue eyes.

“Some studies have also shown associations between PFOA exposure and kidney and testicular cancer,” state officials wrote. “However, others have not. An association does not mean that one thing caused the other. For example, people with blue eyes tend to be taller than people with other eye colors. This is an association.”

The fact sheet is about bio-monitoring, not health effects, and is not the definitive Department of Health position on the way PFOA affects humans, said Dr. Nathan Graber, director of the state Department of Health's Center for Environmental Health. It was written to help people interpret their PFOA blood level results.

“We understand people’s dissatisfaction with the information that’s available, and I’m not just talking about, I’m not talking about our information,” he said. “I’m talking about information in the scientific world available to them to help them interpret the health risks associated with their blood PFOA levels. There isn’t a good scientific body of evidence that someone could pick up their blood PFOA level and say ‘OK, well this means my risk for some health outcome is x, y or z,’ and scientists can’t provide that and this is one of the places where we’ll have to say we don’t know and there is uncertainty about that.”

For the people of Hoosick Falls who are trying to make sense of what the high levels of PFOA in the bloodstream means, the fact sheet doesn’t convey the weight of the health risks detailed in published studies, said Laurel Schaider, an environmental chemist and public health researcher at the Silent Springs Institute, which studies the links between environmental contamination and human health.

She said it’s fair to point to what is still uncertain about human exposure to PFOA, but it’s most important to highlight the fact that there is increasing evidence that it causes harm.

“The balance of this was more heavily weighted toward pointing out the uncertainties,” she said. “I thought the balance would reflect more what we do know, what studies of animals and humans have shown us.”

The research on PFOA is stronger than on most chemicals and the documented connections between the chemical and cancers has grown exponentially in recent years, building a uniquely large body of research, compared to most chemicals, said Phil Brown, director of the Social Science Environmental Health Research Institute at

Northeastern University. He said state health departments are often cautious, and focus on avoiding public alarm rather than delivering the blunt truth.

“From their point of view, they don’t want to worry people,” he said. “The truth is people have the rights to know what’s in their bodies, in their homes, in their water, it’s their decision how to react to that data.”

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## **State provides update on PFOA studies in Hoosick Falls**

August 05, 2016 02:25 AM

WNYT Channel 13 – NBC - Albany

HOOSICK FALLS – About two dozen people from state agencies gathered with two dozen or so from the village at the HAYC3 Armory to get an update on the perfluorooctanoic acid (PFOA) in the water.

PFOA is part of a group of manufactured chemicals that were once widely used to make household and commercial products that resist heat and repel oil, stains, grease and water. PFOA is primarily used for non-stick cookware and stain-resistant carpets and fabric.

"We're not the only ones looking at the health concerns, it's a national issue," said Dr. Nathan Graber, a pediatrician with DOH.

Right now, the finger is pointed at Saint-Gobain and Honeywell, companies in the area. Thursday evening, it was an update from both NYS Department of Health and Environmental Conservation followed by a question-and-answer period.

"We're going to be monitoring that continuously well into the future, probably forever, until there's no sign of contamination," said Keith Goertz, Regional Director with DEC.

Marge Marker, a retired real estate agent, and her husband have high levels in their

recently-tested blood. She says she's not even worried about her, it's her grandchildren and great-grandchildren.

"Exploring a little bit about PFOA, it is not going to go away," Marker said. "It's not something that's going to dissipate and be gone. It just doesn't do that."

"We have over 800 private test site wells for people within the town of Hoosick that is an incredible undertaking in size and we did that in fairly short order too," Goertz said. "We have consent orders executed and in place, we're going to hold these companies responsible to do the necessary investigation and remediation."

And on Wednesday, Gov. Cuomo reiterated the blame on EPA in Hoosick Falls and said he was proud of how the state had stepped in, while questioning where the press was. That raised an eyebrow of Kevin Allard, who has been at nearly every meeting since this story broke and wrote letters to the state for months before that.

"The press coverage that our kids over at Hoosick Falls Central School got and that's what really kicked off everything being done here in the state," Allard said.

Also at the meeting was Zephyr Teachout, the Democratic Candidate for the 19th Congressional District, running against Republican John Faso of Kinderhook.

"Understanding how we got here is really essential just for peace of mind but then there's a separate question which is what are the health threats? There were a lot of questions about health and people want to know if their drinking water is safe," Teachout said.

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## **Warwick law firm holds meeting in Horsham on potential water lawsuit**

Posted: Thursday, August 4, 2016 11:00 pm

By Kyle Bagenstose, staff writer

Intelligencer (PA)

***Unwell Water Series:***

*Over the past two years, 16 public wells and about 140 private wells have been shut down by contamination from perfluorooctanoic acid and perfluorooctane sulfonate. The former Naval Air Warfare Center in Warminster and former Naval Air Station Joint Reserve Base in Horsham, along with the active Horsham Air Guard Station, are thought to be the source of the taint.*

*This news organization has been investigating and writing extensively on the topic, telling the stories of local people who believe they've been sickened by the chemicals, speaking with health experts on the potential toxicity of the chemicals, and examining the actions taken by local, state and federal agencies as they address the contamination.*

*As a public service, we will make this content available to subscribers and non-subscribers.*

A fourth team of lawyers has announced it is lining up to potentially file suit over water contamination in Warminster, Warrington and Horsham.

Representatives of Anapol Weiss, a personal injury law firm based out of Philadelphia, and The Pepper Law Firm, based in Jamison, delivered a joint presentation to about 100 residents in Horsham on Thursday night. The firms laid out what potential legal action would like look, stating that there is the potential for both individual and class action lawsuits against the federal government and private chemical companies.

"It's a long road," Anapol Weiss attorney Lawrence Cohan told the audience. "It's not going to be easy."

The potential suits would address local drinking water contaminated with unregulated chemicals perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS). The contamination has shut down about 16 public and 150 private drinking water wells in the



three affected communities, and also reached some water wells of neighboring communities in lower amounts.

The chemicals are suspected to have originated in firefighting foams used at a trio of current and former military bases in the area, and could have reached the taps of as many as 70,000 people in the area. Three other legal teams — led by New York City's Weitz & Luxenberg, Philadelphia's Williams Cuker Berezofsky, and Philadelphia's Saltz, Mongeluzzi, Barrett & Bendesky, have also held public meetings or stated they intend to take legal action.

Cohan laid out his team's case during Thursday's meeting, held at the Manor at Commonwealth Court, adjacent to the former Naval Air Station Joint Reserve Base in Horsham. Cohan said possible awards sought would include compensation for the contamination of water, diminished property values and personal injuries.

Cohan said he believed it was unlikely that the bulk of legal action would take the form of a class action lawsuit. He told the audience he believed that such a suit would only take place in order to force a potential defendant to provide medical monitoring: blood tests that would show how much of the chemicals accumulated in those potentially exposed.

“That gets filed with one lead plaintiff, and everybody in the community would automatically be a part of it,” Cohan explained, adding it was possible, but less likely, that a class action suit could also be filed for diminished property values.

Instead, Cohan said he envisioned the bulk of legal action being made up of individual personal injury suits or a “mass tort” legal action.

“(Mass tort) is where many people have the same complaint, the same type of injuries, but everybody's injury is a little different,” Cohan explained.

Echoing the opinions of other law firms that have held public meetings, Cohan also said

that because immunity is commonly granted to the federal government, it can be difficult to sue the military. However, he said that under the Federal Tort Claims Act, it is possible.

“You have to prove very specific things,” Cohan said, before naming them. “The military knew or should have known the dangers of (the chemicals), they failed to adequately clean up, and they failed to adequately warn the community.”

Cohan added that the manufacturers of the foams could also potentially be sued, and that a legal team would need to prove that the manufacturers actually provided the chemicals, knew they were dangerous, failed to warn others, and that the chemicals made people sick.

Cohan said a key to any legal challenge is a health study that would compare blood levels of the chemicals to illnesses in those exposed, in order to find a link. He said he was hoping the government would provide some level of analysis, but that his firm was considering conducting its own analysis if that does not take place.

He also explained to the audience that there is a statute of limitations on taking legal action: two years from when an individual first learned of a possible connection to a personal injury or that of a loved one. Cohan added that the distinction could be up to a judge. His firm would argue it would be from the first time an individual attended a legal meeting, but defendants often argue it to be when the information was first made public via the media or direct mailings.

“The government has been sending letters to your homes... those notices may arguably be the trigger point,” Cohan said.

He added that, “unfortunately,” the statute of limitations on the already deceased is stricter: two years from the time of death, regardless of when information about potential causes is made available.

“With very few exceptions, (the answer) is no,” Cohan said.

Retainers passed out by the firms Thursday stated that the legal team would be entitled to one-third of any awards, after legal fees. Plaintiffs would only be required to compensate the legal teams if they win an award, the forms said. These stipulations are the same as the retainers passed out at meetings held by Weitz & Luxenberg and Saltz, Mongeluzzi, Barrett & Bendesky.

"We like to think we're better, but they're good law firms," Cohan said, before recommending residents choose a lawyer "that's going to look at your individual problems."

Cohan added that he has 36 years of experience in toxic tort litigation, is representing "thousands" of former U.S. Steel Fairless Works employees who believe they developed lung disease from working there, and has litigated against chemical companies such as Rohm and Haas and DuPont.

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## **County, city could pursue legal claims against 3M over chemicals**

By Evan Belanger Staff Writer

Aug 5, 2016

DECATUR DAILY (Alabama)

A remediation program for 3M Co. includes a "multilayer cap," seen here, to cover fields at the company's 864-acre campus on Alabama 20, where sludge from its wastewater treatment plant was deposited from 1978 to 1998. CRYSTAL VANDER WEIT/DECATUR DAILY

Attorneys for the city of Decatur and Morgan County have filed court motions that could allow the local governments to file claims against 3M Co. and other manufacturers in an

ongoing lawsuit over environmental contamination with chemicals named in a recent EPA health advisory.

“Who the city and county may file against has not been completely decided, although I would expect the claims would be asserted against 3M,” said Barney Lovelace, attorney for the city and county, which are defendants in the lawsuit.

Lovelace and other attorneys with the Harris Caddell & Shanks law firm in Decatur filed a motion this week asking Morgan County Circuit Judge Glenn Thompson to lift a stay barring parties in the suit from filing cross-claims and certain other matters while the dispute was in court-ordered mediation.

The city, county, 3M and other companies are defendants in the lawsuit, which has multiple plaintiffs.

This week's motion noted two mediation sessions, each lasting two days, in January and March had not resolved the dispute and no other mediation sessions have been scheduled.

“The City and County contend that if the parties are to participate in any further mediation sessions it would be beneficial to that process if the city and county were allowed to assert claims against one or more existing parties in this action,” the motion stated.

A cross-claim would mark the first time the city and county have attempted in court to shift liability in the lawsuit to 3M Company and other manufacturers that used perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA).

In response to a state agency's concerns about the chemicals, 3M says it has spent \$65 million on environmental rehabilitation efforts near its local plant.

The U.S. Environmental Protection Agency in May issued a health advisory that lifetime exposure to the two chemicals in drinking water should not exceed concentrations of 70 parts per trillion to avoid possible health risks.

The lawsuit was filed in 2002. In 2015, the city and county were named as defendants. The plaintiffs alleged the two governments had contributed to contamination of the Tennessee River and other areas by accepting industrial waste laced with the chemicals at the Morgan County Regional Landfill and failing to remove the chemicals from landfill leachate that was treated at Decatur Utilities' sewer plant before being discharged into the river.

The city owns and operates Decatur Utilities, and the city and county jointly own the landfill.

Decatur Mayor Don Kyle said the city and county have long maintained the companies that benefited from use of the chemicals should pay the cost of removing them and that the city has already spent "several million dollars" as a result of the contamination.

"Our goal is to not let (the cost) end up falling on our citizens and our ratepayers," he said.

While EPA and the Alabama Department of Environmental Management have not established regulations that prohibit the discharge of the chemicals, 3M began phasing out all perfluorinated chemicals, including PFOA and PFOS, in 2000. The company ended the majority of its use within two years and all "significant" use by 2008, according to the company's annual filings with the U.S. Securities and Exchange Commission.

According to an EPA fact sheet, 3M was the primary manufacturer of PFOS prior to the phase-out. The company had used PFOA and PFOS for Teflon-like nonstick products, such as Scotch Gard.

Industrial defendants that were named in the suit include 3M and its subsidiary, Dyneon LLC, Daikin America Inc., Toray Fluorofibers (America) Inc. and its sister company, Toray Carbon Fibers America Inc., all of which operate manufacturing plants in Decatur.

On Wednesday afternoon, the day after it filed its motion, Harris Caddell & Shanks removed from its website the names of 3M and Toray Carbon Fibers America, which were included in a list of the law firm's "representative clients."

Lovelace said the law firm does not consider either company to be regular clients and has not done any work for either related to the chemicals at issue in the suit.

The law firm continues to serve as general counsel for the Decatur Industrial Development Board, which has previously granted tax abatements to 3M, Daikin America, Toray Carbon Fibers America and other local industries.

Lovelace said any cross-claims filed by the city and county would have nothing to do with Decatur Utilities' drinking water supply. DU's intake is upstream of Decatur industries and tests of the water system have indicated no contamination.

Attorneys for the plaintiffs with Hare Wynn Newell & Newton in Birmingham filed a response Wednesday, saying they have no opposition to lifting the stay for the "limited" purpose of filing a cross-claim against defendants in the suit.

"We're involved in a mediation process and it's best, if you're talking about resolving all claims, to have all claims," said James Pratt III, an attorney with Hare Wynn.

William Brewer III, the Dallas-based legal counsel to 3M, said the stay should be lifted in its entirety because the "mediation has proven unsuccessful" and doing so would allow parties to move forward with the litigation.

A former 3M employee filed the suit in 2002, seeking unstated damages and alleging he suffered an elevated risk of health problems as well as property damage from exposure to perfluorinated chemicals at the Decatur plant.

In 2005, the court granted 3M's motion to dismiss personal-injury claims, and in 2006, the plaintiff's legal counsel filed an amended claim limiting the case to property damage on behalf of residents and property owners in the vicinity of the Decatur plant.

In October, the West Morgan-East Lawrence Water Authority and residential water customers filed a separate complaint in federal court against 3M, Dyneon and Daikin America, alleging the companies were reckless and negligent by releasing toxic chemicals, including PFOA and PFOS, which found their way into the Tennessee River and eventually into their drinking water.

Presence of the chemicals in water distributed by the West Morgan-East Lawrence system caused its general manager to warn customers not to drink or cook with its water in June. After the authority began blending its water with water from Decatur Utilities, PFOA and PFOS weren't detected in fresh samples and the health advisory was lifted.

The nonprofit environmental organization Tennessee Riverkeeper Inc. filed another federal lawsuit in June against 3M, BFI Waste Systems, the city of Decatur and its utility department, as well as Morgan County.

That suit alleges the dumping of PFOS and PFOA in landfills and the Tennessee River contaminated groundwater, private water supplies, the river and its tributaries and wildlife, and public drinking water supplies.

Legal counsel for 3M and BFI filed separate motions to dismiss that suit last week on multiple grounds, including that BFI discharges its leachate in accordance with a permit issued by the Alabama Department of Environmental Management and that 3M is in the midst of a remediation program that will make Riverkeeper's argument moot.

"We believe the remedy being sought by Tennessee Riverkeeper would interfere with the ongoing work between our company and state regulators — work that has led to the decreased environmental presence of these materials," Brewer said.

According to a voluntary agreement between ADEM and 3M, the company deposited wastewater sludge on the southern portion of its 864-acre campus on Alabama 20 from 1978 to 1998, resulting in the presence of PFOA and PFOS in soil, groundwater and vegetation at the site.

In the agreement, 3M committed to install a "multilayer cap" over the site to contain the chemicals, install a network of monitoring wells and take other actions to restore the site.

David Whiteside, executive director and founder of Tennessee Riverkeeper, said remediation efforts by defendants do not do enough to "fix their toxic problem."

Travis Carter, director of media and community relations for Brewer's firm, said the 3M remediation project began in 2006 and will continue through 2019. Brewer said 3M has already spent more than \$65 million on local remediation efforts.

Since the company stopped using the chemicals, monitoring conducted by ADEM and 3M from 2002 to 2012 found no increase of PFOS in fish or water in "certain parts of the Tennessee River," he said.

Carter noted that a "no consumption" advisory for fish in effect as recently as 2012 for Bakers Creek, where 3M allegedly discharged wastewater containing the chemicals from its treatment plant, had been revised to the current "one-meal-per-month" fish advisory.

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**UPDATE: WMEL no longer buying water from Decatur Utilities but warn families should make their own decisions about using the water for now**

Posted 12:41 pm, August 5, 2016, by David Kumbroch and Al Whitaker

WHNT Channel 19 News - Alabama

MOULTON, Ala. – The West Morgan-East Lawrence (WMEL) Water Authority will discontinue drawing water from Decatur Utilities, according to General Manager Don Sims. They had been buying water from DU to mix with their own, in order to dilute dangerous chemicals. Now, Sims they have had a number of positive readings from the water produced by their intake on the Tennessee River, and they will return to using that water, months after saying it was unsafe to drink because of high levels of perfluorinated compounds (PFCs).

Don Sims confirms they have closed the valve and are no longer mixing water from Decatur Utilities with their finished water. This, after 4 consecutive samples of the WMEL finished water that showed no detectable level of PFOA and 14 ppt (parts per trillion) of PFOS.

A new guideline from the Environmental Protection Agency (EPA), handed down in May, recommends drinking water contain no more than 70 ppt of PFOA and PFOS combined.

Sims says, as per instructions from ADEM, WMEL will maintain the connection with Decatur Utilities so the valve can be reopened in the event any subsequent tests show the level of either one of the two compounds increasing.

Sims explains the sample results come as no surprise because the water level in Wheeler Basin is at a yearly high and there has been plenty of flow resulting from rains across the region over the past two weeks. He says as we get closer to autumn, the lake level will begin to drop and the presence of the PFC's will increase, as is the case annually. He says the fact that Decatur City/Morgan County continue to discharge unlimited amounts of the PFC's into the river from their landfill and water treatment plant means this will be a continual problem.

The utility is moving forward with a new filtration system.

The concrete footing for the temporary granulated activated charcoal (GAC) filter was poured Thursday, and the filtration system itself should arrive within three weeks. The GAC system is expected to filter at least 99.9% of the PFC's from their water, which should end the need to mix water from Decatur Utilities to keep those levels within legal limits. When asked why then is it necessary to add a reverse osmosis system, which WMEL is planning on, Sims explained while the GAC system is very effective in dealing with PFOA and PFOS, it will not filter out all PFC compounds.

He says, "We know 3M has replaced those compounds with others, but because they're not regulated, it could be years before we learn what they are and what health effects they may have."

Those who monitor the situation closely say they will not be using WMEL's water.

"It's a crap shoot. Me and my family will not be drinking or cooking with the water because today it might be decent but tomorrow and the next day and the next day it may be terrible. So it just depends totally on the wind," according to Ron Mixon, spokesperson for the environmental group Warriors for Clean Water.

Mixon says the lake is roughly a mile and a half wide where West Morgan East Lawrence draws their water, and he says the wind can drive contamination on one side of the lake over to the other side.

Sims is quick to point out it takes six weeks to get the test results back from the lab and he says the state then averages the results to get their final numbers. As a result, Sims tells us the test results can fluctuate wildly and still produce a final number below the new EPA guidelines for drinking water. As such, Sims tells us until the new carbon filtration system is in place, he says each family should continue to make their own decisions about using the water. He highly encourages pregnant and nursing mothers to use bottled water, and says bottled water should also be used to prepare baby formula.

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